

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
EUREKA DIVISION

KIM Y. TREVILLION,

No. 11-CV-4099 NJV

Plaintiff,

ORDER REGARDING NOTICE OF  
VOLUNTARY DISMISSAL  
(Doc. 32.)

v.

HARRY E. DILLON, et al.,

Defendants.

This is a civil rights action in which Plaintiff is proceeding *pro se*. On January 27, 2012, Plaintiff filed a notice of voluntary dismissal of this action without prejudice pursuant to Rule 41(a)(1)(A), Federal Rules of Civil Procedure. (Doc. 32.) Because Plaintiff has previously voluntarily dismissed a federal action involving the same claims against the same defendants, *Trevillion v. Dillon*, 11-CV-4474 PJH, a voluntary dismissal of the present action will operate as an adjudication on the merits. Rule 41(a)(1)(B). Therefore, any voluntary dismissal of the present action will be, in effect, a dismissal with prejudice.

The Court will not enter a dismissal in this case until February 10, 2012. If neither party has filed a notice with the Court by that date, indicating an objection, the Court will dismiss this case with prejudice.

IT IS SO ORDERED.

Dated: January 30, 2012

NANDOR J. VADAS  
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
EUREKA DIVISION

KIM Y. TREVILLION,  
Plaintiff,

v.

HARRY E. DILLON, et al.,  
Defendants.

No. 11-CV-4099 NJV

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that on January 30, 2012, I served a true and correct copy of the attached by placing said copy in a postage paid envelope addressed to the person listed below, by depositing said envelope in the U.S. Mail.

Kim Y. Trevillion  
2031 F Street  
Apt. 1  
Eureka, CA 95501-3773

Dated: January 30, 2012

*Linn Van Meter*

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Linn Van Meter  
Administrative Law Clerk to the  
Honorable Nandor J. Vadas